



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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File #: 13-0109, Version: 1

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**Dept/ Agency:** Law

**Action:** (X) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** Professional Services Contract

**Purpose:** To provide Litigation Defense Services

**Entity Name:** Weiner Lesniak, LLP

**Entity Address:** 629 Parsippany Road, P.O. Box 0438, Parsippany, New Jersey 07054-0438

**Contract Amount:** \$150,000.00

**Funding Source:** Prudential/Trust Fund

**Contract Period:** January 1, 2013 through December 31, 2013

**Contract Basis:** ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS

(X) Fair & Open ( ) No Reportable Contributions ( ) RFP (X) RFQ

( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a

**Additional Information:**

**WHEREAS**, the City of Newark is involved in ongoing legal matters and therefore has a need to acquire legal services; and

**WHEREAS**, the City of Newark issued a Request for Qualifications for Litigation Defense Counsel on or about September 17, 2012; and

**WHEREAS**, the City of Newark received a total of thirteen (13) proposals in response to its request for Litigation Defense Counsel; and

**WHEREAS**, Weiner Lesniak, LLP, with offices located at 629 Parsippany Road, P.O. Box 0438, Parsippany, New Jersey 07054-0438, submitted a proposal in response to the request and it was found, based upon price and other factors, to be in the best interest of the City of Newark to accept the proposal for the purpose of providing legal services concerning Litigation Defense Matters; and

**WHEREAS**, the City of Newark wishes to enter into a new contract with Weiner Lesniak, LLP to provide legal services concerning Litigation Defense Matters in an amount not to exceed One Hundred and Fifty Thousand Dollars (\$150,000.00), for the period of January 1, 2013 through December 31, 2013, which shall cover those existing matters currently being handled by Weiner Lesniak, LLP, as well as new matters that may arise during the contract term; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that notice of the award of contracts for "Professional Services" without competitive bidding must be published in a local newspaper; and

**WHEREAS**, this contract is for an amount over \$17,500.00 and is being awarded as a fair and open contract pursuant to N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001 (hereinafter "Pay-to-Play Executive Order"), which requires reporting of political contributions to Newark Municipal Candidates and prohibits certain political contributions during the duration of the contract.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor and/or his designee, the Corporation Counsel, are hereby authorized and directed on behalf of the City of Newark to enter into and execute a contract with Weiner Lesniak, LLP, to provide legal services concerning Litigation Defense and Related Matters in an amount not to exceed One Hundred and Fifty Thousand Dollars (\$150,000.00), for the period of January 1, 2013 through December 31, 2013.
2. The term of this contract shall be January 1, 2013 through December 31, 2013 for such matters that may arise during the contract term.
3. This contract is being awarded pursuant to the fair and open procedures of the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5) and pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)) and is in compliance with Executive Order MEO-07-0001, effective March 31, 2007.
4. The Municipal Council hereby ratifies the award of this contract from January 1, 2013 to the date of adoption of this resolution.
5. This is an open-ended contract to be used as needed during the term of the contract. Thus, for any and all expenditures against this contract, a certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(b)(2), shall be executed before a contractual liability is incurred each time an order is placed, covering the amount of the order. Funds for this contract in the amount not to exceed One Hundred and Fifty Thousand Dollars (\$150,000.00) shall be provided from a trust fund held by the City of Newark and funded by the Redeveloper(s).
6. A copy of the executed contract herein authorized shall be filed in the Office of the City Clerk by Corporation Counsel and shall be made available for public inspection.
7. A notice of this action shall be published in the newspaper authorized by law to publish a legal advertisement and as required by law within ten (10) days of the adoption of this resolution.

### **STATEMENT**

This resolution ratifies and authorizes the Mayor and/or his designee, the Corporation Counsel, to enter into and execute a contract for legal services concerning Litigation Defense and

Related Matters with Weiner Lesniak, LLP, 629 Parsippany Road, P.O. Box 0438, Parsippany, New Jersey 07054-0438, in an amount not to exceed One Hundred and Fifty Thousand Dollars (\$150,000.00), for the period of January 1, 2013 through December 31, 2013.